

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TRENT A. COLBERT,)
Plaintiff,)
v.) Case No. CIV-17-1037-M
WILLA JOHNSON, Oklahoma County)
Commissioner, et al.,)
Defendants.)

ORDER

On November 28, 2017, United Magistrate Judge Charles B. Goodwin issued a Report and Recommendation in which Petitioner filed a 42 U.S.C. § 1983 action in September 2017. The plaintiff failed to pay the initial partial filing fee on at least two occasions after being warned by the Magistrate Judge that his case would be dismissed for failure to follow court orders. The plaintiff failed to do so. The Magistrate Judge recommended the action be dismissed without prejudice. Plaintiff was advised of his right to object to the Report and Recommendation by December 19, 2017. On December 20, 2017, Plaintiff submitted an untimely Objection to the Report and Recommendation.

Accordingly, upon *de novo* review, the Court:

(1) ADOPTS the Report and Recommendation [Docket no. 9] issued by the Magistrate Judge on November 28, 2017; and

(2) DISMISSES this action without prejudice to refiling.

IT IS SO ORDERED this 12th day of February, 2018.



VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE